

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
CHAPMAN ET AL.)	
)	
Serial No. 10/617,065)	Examiner: D. BLAIR
Confirmation No. 9506)	Art Unit: 2142
Filing Date: JULY 10, 2003)	Attorney Docket No.
)	55512
For: METHOD AND SYSTEM FOR)	
DISTRIBUTING A PUBLIC INFORMA-)	
TION RELEASE AUTHORIZATION)	
(PIRA) FORM OVER AN INTRANET)	
)	

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the final Office Action of July 31, 2007, and in connection with the Notice of Appeal filed concurrently herewith, please consider the remarks set out below.

REMARKS

Applicants would like to thank the Examiner for the thorough examination of the present application. Claims 1-36 remain pending in the application. Favorable reconsideration is respectfully requested.

I. The Claimed Invention

The present invention, as recited in independent Claim 1, for example, is directed to a method for distributing a public information release authorization (PIRA) form over an intranet. The method comprises creating and submitting a PIRA form over the intranet, with the PIRA form being submitted by an author to at least one approver via e-mail with a hyperlink

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to the PIRA form. Comments for the PIRA form are transmitted by the at least one approver via e-mail.

Independent Claim 13 is directed to an intranet for distributing a PIRA form, and is similar to independent Claim 1.

Independent Claim 25 is directed to a computer-readable medium having computer-executable instructions, and is also similar to independent Claim 1.

II. The Claims are Patentability Distinct From Co-Pending Application 09/596,629

The Examiner has taken the position that the claims in co-pending application 09/596,629 are not patentability distinct from each other because the claims in the present application are directed towards the same process of disseminating information. The Examiner further states that even though the claims are directed to different types of information, the distinction is irrelevant because the technical details of the present invention are independent of the type of data being transmitted and the particular human sender and receivers of data.

As correctly noted by the Examiner, since the claims are directed to different types of information, there is clearly a distinction therebetween. For instance, the claims in the co-pending application are directed to invention disclosures, whereas the claims in the present invention are directed to a public information release authorization (PIRA) form.

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As recited in the claim, an invention disclosure is first created using an invention disclosure template form, with the invention disclosure being created by an inventor and including information about an invention. An attachment can be selected as an option in the invention disclosure template form. A file is attached to the invention disclosure without the use of a hyperlink, with the file being created by the inventor separate from the invention disclosure and including information about the invention that is not included in the invention disclosure.

In the present application, the PIRA form is created and submitted by an author. In sharp contrast, the invention disclosure in the co-pending application is first created using an invention disclosure template form, with the invention disclosure being created by an inventor and including information about an invention. In the present application, there are no claim recitations of attachments. In sharp contrast, each of the independent claims in the co-pending application requires selecting an attachment as an option in the invention disclosure template form.

Moreover, since the claims (in the co-pending and present applications) are directed to different types of information, different and additional steps are recited in the co-pending application. In the co-pending application, the invention disclosure is first created using an invention disclosure template form, and the invention disclosure template form allows the user to select "attachment" as an option for attaching a file to the invention disclosure

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without the use of a hyperlink. The Applicants submit that the claims are patentably distinct in view of the above noted distinctions.

III. The Spencer Patent Is Not A Prior Art Reference

The Examiner has taken the position that the provisional applications 60/141,306 and 60/146,254 do not provide written description support for the claimed subject matter because there is no reference at all to the claimed "public information release authorization forms."

The Applicants submit that the Examiner is simply taking too narrow a position. For instance, the '306 provisional application states on page 17, lines 8-9 that "the technical paper approval process is similar to the invention disclosure process ..." (Emphasis added). The phrase "invention disclosure forms" is referenced throughout the provisional in support of the "invention disclosure process." Consequently, the use of "forms" as part of the "technical paper approval process" is similar to the use of "forms" are part of the "invention disclosure process." Moreover, forms are even illustrated in FIGS. 46-48 of the '306 provisional application when discussing the technical paper approval process.

In greater detail, reference is directed to page 18, lines 14-16 in the '306 provisional application, which provides: "The technical paper is included as an attachment to the technical paper form filled out by the author." (Emphasis added). As discussed in the '306 provisional, the technical paper form is web-based, and the various fields in the form

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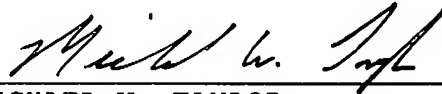
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are filled out by the author. Once various fields have been filled out, e-mail notification messages with hyperlinks to the form are used as part of the approval process.

The Applicants used the term "public information release authorization form" in the claimed invention instead of "technical paper form" since it is more generic. For example, reference is also directed to page 17, lines 16-21, which provides: "The technical paper approval process is used to approve the external and internal release of technical papers, abstracts, presentations, reports, journal articles, books, and other information intended for publication or presentation outside of a particular corporation." (Emphasis added).

The Applicants submit that the '306 provisional application provides written description support for the claimed "public information release authorization form." Since the priority date of the Spencer patent is after the priority date of the '306 provisional application, Spencer should be removed as prior art.

Respectfully submitted,



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